IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

FRIDAY, THE 19TH JANUARY 2007 / 29TH PAUSHA 1928

WP(C).No. 2230 of 2007(M)

PETITIONER:

SMT.SUSAMMA KURIAN,
W/O.LATE C.K.KURIAN, CHENNATTUMATTOM,
KATTAPPANA.

BY ADV. SRI.I.DINESH MENON

RESPONDENTS:

1. THE TRANSPORT COMMISSIONER,
   TRANSPORT BHAVAN, TRIVANDRUM.

2. THE DEPUTY TRANSPORT COMMISSIONER,
   CENTRAL ZONE II, ERNAKULAM.

3. THE REGIONAL TRNSPORT OFFICER,
   IDUKKI.

BY GOVT.PLEADER SRI M.A.FAYAZ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 19/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R.RAMAN,J.

W.P.(C).NO.2230 OF 2007

Dated this the 19th day of January, 2007

JUDGMENT

Petitioner has filed an application claiming exemption based on a 'G' Form, which was declined by the preliminary authority. That was confirmed in appeal, against which a revision was filed. That was pending consideration before the Transport Commissioner. The petitioner has also filed Ext.P5 application for stay. It is the contention of the petitioner that during the pendency of the appeal, in view of the stay granted by this Court in Ext.P2 and the conditions having been complied with, she could operate the vehicle. Now that an order has been passed dismissing the appeal and in the absence of any order of stay passed by the

revisional authority, she will not be in a position to run the bus and earn her livelihood. It is also submitted that the petitioner is a widow and earning the livelihood by running the bus.

2. Heard the learned Government Pleader.

3. In the facts and circumstances of the case, in case the petitioner pays an amount of Rs.65,000/- (Rupees sixty five thousand) within ten days, there will be a direction to the revisional authority to consider and dispose of the revision expeditiously. I make it clear that an amount of Rs.65,000/- is towards the arrears of tax pending consideration of the revision and hence, the petitioner shall continue to pay the current tax as well and be accepted. Coercive steps if

any be deferred till the disposal of the revision.

Writ Petition is disposed of as above.

P.R.RAMAN,
Judge.

kcv.